IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 18107 of 2007(E)

PETITIONER:

C. ABDUL SALAM, AGED 46 YEARS,
SON OF LATE ALI, DRILLING ASSISTANT (HIGHER GRADE),
DISTRICT OFFICE, GROUND WATER DEPARTMENT,KOZHIKODE

BY ADV. SRI.JACOB ABRAHAM
SMT.KOCHUMOL KODUVATH

RESPONDENTS:

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1. DIRECTOR,
GROUND WATER DEPARTMENT, JALAVINJNANA BHAVAN,
AMBALAMUKKU, THIRUVANANTHAPURAM.

2. SRI.K.GIRISHKUMAR,
DRILLING ASSISTANT, GROUND WATER DEPARTMENT,
MALAPPURAM.

BY GOVERNMENT PLEADER SRI.P. NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. BALAKRISHNAN NAIR, J.

W.P.(C) No.18107 of 2007(E)

Dated this the 20th June, 2007.

JUDGMENT

The petitioner, who is a Drilling Assistant (Higher Grade), is working in the District Office of the Ground Water Department, Kozhikode. He has been transferred by Ext.P1 order dated 31.5.2007, to Kannur. He has filed Ext.P9 representation against the said transfer, pointing out that his wife is mentally ill and, therefore, his presence is necessary at Kozhikode. Thereafter, this writ petition is filed, seeking appropriate relief.

2. Heard the learned Government Pleader for the respondents. Upon instruction, be submitted that the petitioner has been continuing at Kozhikode since 1995. At present there is no vacancy to accommodate him. The learned Government Pleader further submitted that Ext.P9 has been received and is pending; but, in the absence of any supporting material, the same does not merit consideration.

3. Since the petitioner has been working at Kozhikode for more than 12 years, there is nothing

illegal or irregular with the transfer. But, whether the petitioner could be given a suitable posting on compassionate grounds shall be considered by the first respondent, if the petitioner produces sufficient materials in support of the claim made by him in Ext.P9. In that event, the first respondent will pass orders on it as expeditiously as possible.

This writ petition is disposed of as above.

K. BALAKRISHNAN NAIR,
JUDGE.

vav.